

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ADMIIN INC., d/b/a PARO, INC.,
a Delaware Corporation,

Plaintiff,

v.

LUKE KOHAN, an individual,
and FIRMKEY SOLUTIONS, LLC, a
Minnesota limited liability company,

Defendants.

Case No. 1:23-cv-04430

Judge Franklin U. Valderrama

Magistrate Judge M. David Weisman

**PLAINTIFF ADMIIN INC., d/b/a PARO, INC.'S MOTION FOR LEAVE TO
FILE EXHIBITS UNDER SEAL *INSTANTER***

Plaintiff Admiin Inc., d/b/a Paro, Inc. (“Paro”), by its attorneys, pursuant to Local Rule 26.2, hereby respectfully requests leave from the Court to file under seal certain exhibits pertaining to its Supplemental Memorandum of Law in Further Support of It’s Rule 65 Motion for Preliminary Injunction (the “Confidential Documents”), *instante*, and states in support:

1. On August 22, 2023 this Court entered the parties’ Agreed Confidentiality Order (the “Confidentiality Order”), Dkt. 27. The Confidentiality Order allows the parties to designate certain categories of documents as “CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER” and “CONFIDENTIAL – ATTORNEYS’ EYES ONLY – SUBJECT TO PROTECTIVE ORDER.” Dkt. 27, ¶¶ 2-3. Such categories include, but are not limited to “...(b) information that reveals trade secrets; (c) research, technical, commercial or financial information that the party has maintained as confidential.” Dkt. 28, ¶2. The Confidentiality Order also directs “[a]ny party wishing to file a document

designated as Confidential Information in connection with a motion, brief or other submission to the Court” to comply with Local Rule 26.2. Dkt. 28, ¶8.

2. Pursuant to this Court’s September 5, 2023 Order, Paro is required to file its Supplemental Memorandum of Law in Further Support of Its Rule 65 Motion for Preliminary Injunction (“Supplemental Memorandum”) no later than September 29, 2023. Dkt. 32.

3. Concurrently with the filing of this Motion for Leave, Paro is filing its Supplemental Memorandum as directed.

4. The entirety of Paro’s Supplemental Memorandum is being publicly filed except for certain exhibits. Specifically, Paro seeks to file under seal the following Confidential Documents in Tab A: (1) Excerpts from Deposition of Luke Kohan and (2) Exhibit 2 to Kohan’s Deposition. Pursuant to the Court’s standing order, Paro will publicly file a redacted copy of the documents.

5. Concurrently with the filing of this Motion for Leave, confidential copies of Paro’s Tab A: (1) Excerpts from Deposition of Defendant Luke Kohan and (2) Exhibit 2 to Kohan’s Deposition in support of Paro’s Supplemental Memorandum were filed as Sealed Documents on the Court’s ECF System.

6. Local Rule 26.2(b) provides that “[t]he court may for good cause shown enter an order directing that one or more documents be filed under seal.” Pursuant to this rule, the Court may “enter orders protecting ‘a trade secret or other confidential research, development or commercial information’” *Neil v. Zell*, 2011 U.S. Dist. LEXIS 23226, at *9 (N.D. Ill. Mar. 3, 2011).

7. Good cause exists for filing the Confidential Documents under seal. Exhibit 1 to Tab A contain confidential information about Paro’s business and has

accordingly been designated as “CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER” pursuant to the Confidentiality Order. Paro has a legitimate interest in ensuring that this confidential non-public information remains undisclosed, as Paro operates in a highly-competitive industry and the disclosure of such information would significantly harm Paro’s business interests and competitive advantage.

8. Additionally, Defendants Kohan and Firmkey Solutions LLC (collectively, “Defendants”) have designated certain portions of Kohan’s deposition as Attorneys’ Eyes Only (“AEO”). Paro has filed a motion to compel seeking the removal of Defendants’ AEO designations, which is currently pending before Magistrate Judge M. David Weisman. Dkt. 42. Defendants’ response is due on October 10, 2023 and the matter is set for hearing on October 26, 2023. Dkt. 44. Accordingly, Paro has also filed the information designated by Defendants as AEO under seal pending the resolution of the motion to compel.

WHEREFORE, for the foregoing reasons, Paro respectfully requests that this Court grant it leave to file the Confidential Documents under seal *instanter*.

Dated: September 29, 2023

Respectfully submitted,

ADMIIN INC. d/b/a PARO INC.

By: /s/ Collette A. Woghiren

One of Its Attorneys

Chad W. Moeller (cmoeller@nge.com)
Sonya Rosenberg (srosenger@nge.com)
Collette A. Woghiren (cwoghiren@nge.com)
NEAL GERBER & EISENBERG LLP
2 N. LaSalle St., Suite 2200
Chicago, Illinois 60602
(312) 269-8000

CERTIFICATE OF SERVICE

Collette A. Woghiren, an attorney, certifies that on September 29, 2023, she caused a copy of foregoing **PLAINTIFF ADMIIN INC., d/b/a PARO, INC.'S MOTION FOR LEAVE TO FILE EXHIBITS UNDER SEAL INSTANTER** to be filed via this Court's CM/ECF System, which shall send notification to all counsel of record by operation of the Court's electronic filing system.

/s/ Collette A. Woghiren